

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50454 of 2023

Arising Out of PS. Case No.-216 Year-2020 Thana- SARAI RANJAN District- Samastipur

Abhishek Kumar @ Abhishek Kumar Jha Son Of Late Ram Prakash Jha
Resident Of Village- Bhojpur, Ps- Sarairanjan, Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aryan Singh, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-08-2023 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for the offences punishable under Sections 302, 120(B) of the Indian Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, this petitioner along with other accused persons assaulted the father-in-law of the informant and co-accused Golu Kumar shot him in the chest, resulting in his death.

4. It is submitted that this petitioner is only alleged to be the order giver and there is no allegation of firing against him. No specific overt act has been alleged against him. It is further submitted that similarly situated co-accused, namely, Mithilesh Chaurasiya, has already been granted anticipatory bail by co-ordinate Bench of this Court *vide* order dated 13.07.2022



passed in Cr. Misc. No. 46183 of 2021. Petitioner has got clean antecedent.

5. Considering the nature of accusation and facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-III, Samastipur in connection with Sarairanjan P. S. Case No. 216 of 2020, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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